

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Expedited Declaratory Ruling)	WC Docket No 18-41
of South Dakota Network, LLC)	
)	
To: The Commission)	

**MOTION TO WITHDRAW PETITION FOR
EXPEDITED DECLARATORY RULING**

On February 7, 2018, South Dakota Network, LLC (“SDN”) filed a Petition for Expedited Declaratory Ruling asking the Commission to assert jurisdiction over a dispute between SDN and Northern Valley Communications, Inc. (“NVC”),¹ and to issue a declaratory ruling regarding certain aspects of that dispute. Specifically, SDN asked the Commission to declare that (a) a contract between SDN and an interexchange carrier (“IXC”), entered into for the purpose of terminating large volumes of traffic bound to a competitive local exchange carrier (“CLEC”) engaged in access stimulation or “traffic pumping,” is lawful under the Communications Act of 1934, as amended (the “Act”) and (b) that CLECs enjoy no exclusive right to transport terminating traffic to their end offices (or elsewhere), including the related matter that the filing of a CLEC federal tariff does not confer a right to compel other carriers to use the tariffed services.

¹ *James Valley Cooperative Telephone Company, et al., v. South Dakota Network, LLC, et al.*, No. 15-134 (S.D. 5th Cir.).

On April 23, 2018, the parties to the South Dakota state court proceeding satisfactorily resolved their disputes. Accordingly, SDN respectfully requests that it be granted leave to withdraw its Petition for Expedited Declaratory Ruling.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "B. Dickens, Jr.", written in a cursive, stylized script.

Benjamin H. Dickens, Jr.

Mary J. Sisak

Salvatore Taillefer, Jr.

Counsel to South Dakota Network, LLC

April 27, 2018